

**REPORT OF THE AUDIT OF THE
TODD COUNTY
CLERK**

**For The Year Ended
December 31, 2011**



**ADAM H. EDELEN
AUDITOR OF PUBLIC ACCOUNTS
www.auditor.ky.gov**

**209 ST. CLAIR STREET
FRANKFORT, KY 40601-1817
TELEPHONE (502) 564-5841
FACSIMILE (502) 564-2912**

EXECUTIVE SUMMARY

AUDIT EXAMINATION OF THE TODD COUNTY CLERK

**For The Year Ended
December 31, 2011**

The Auditor of Public Accounts has completed the Todd County Clerk's audit for the year ended December 31, 2011. Based upon the audit work performed, the financial statement presents fairly in all material respects, the revenues, expenditures, and excess fees in conformity with the regulatory basis of accounting.

Financial Condition:

Excess fees increased by \$15,402 from the prior year, resulting in excess fees of \$55,747 as of December 31, 2011. Revenues increased by \$162,797 from the prior year and expenditures increased by \$147,395.

Report Comment:

2011-01 The County Clerk's Office Lacks Adequate Segregation Of Duties Over Receipts, Disbursements, Payroll, And Reconciliations

Deposits:

The County Clerk's deposits were insured and collateralized by bank securities.

CONTENTS

PAGE

INDEPENDENT AUDITOR'S REPORT	1
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS	3
NOTES TO FINANCIAL STATEMENT	6
REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS	11
COMMENT AND RECOMMENDATION	15



ADAM H. EDELEN
AUDITOR OF PUBLIC ACCOUNTS

The Honorable Daryl Greenfield, Todd County Judge/Executive
The Honorable Kim Chapman, Todd County Clerk
Members of the Todd County Fiscal Court

Independent Auditor's Report

We have audited the accompanying statement of revenues, expenditures, and excess fees - regulatory basis of the County Clerk of Todd County, Kentucky, for the year ended December 31, 2011. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk's office prepares the financial statement on a regulatory basis of accounting that demonstrates compliance with the laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the revenues, expenditures, and excess fees of the County Clerk for the year ended December 31, 2011, in conformity with the regulatory basis of accounting described in Note 1.

In accordance with Government Auditing Standards, we have also issued our report dated May 09, 2012 on our consideration of the Todd County Clerk's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.



The Honorable Daryl Greenfield, Todd County Judge/Executive
The Honorable Kim Chapman, Todd County Clerk
Members of the Todd County Fiscal Court

Based on the results of our audit, we have presented the accompanying comment and recommendation, included herein, which discusses the following report comment:

2011-01 The County Clerk's Office Lacks Adequate Segregation Of Duties Over Receipts, Disbursements, Payroll, And Reconciliations

This report is intended solely for the information and use of the County Clerk and Fiscal Court of Todd County, Kentucky, and the Commonwealth of Kentucky and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Adam H. Edelen', written in a cursive style.

Adam H. Edelen
Auditor of Public Accounts

May 09, 2012

TODD COUNTY
KIM CHAPMAN, COUNTY CLERK
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS

For The Year Ended December 31, 2011

Revenues

State Fees For Services		\$	65,723
Fiscal Court			3,366
Licenses and Taxes:			
Motor Vehicle-			
Licenses and Transfers	\$	549,475	
Usage Tax		793,842	
Tangible Personal Property Tax		778,699	
Other-			
Marriage Licenses		3,728	
Deed Transfer Tax		26,556	
Delinquent Tax		149,844	2,302,144
Fees Collected for Services:			
Recordings-			
Deeds, Easements, and Contracts		9,027	
Notary Fees		912	
Real Estate Mortgages		5,938	
Chattel Mortgages and Financing Statements		33,414	
Powers of Attorney		493	
All Other Recordings		24,437	
Charges for Other Services-			
Candidate Filing Fees		20	
Copywork		1,913	76,154
Other:			
Miscellaneous			1,438
Interest Earned			1,471
Total Revenues			2,450,296

The accompanying notes are an integral part of this financial statement.

TODD COUNTY
KIM CHAPMAN, COUNTY CLERK
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS
For The Year Ended December 31, 2011
(Continued)

Expenditures

Payments to State:

Motor Vehicle-

Licenses and Transfers \$ 429,538

Usage Tax 770,027

Tangible Personal Property Tax 282,801

Licenses, Taxes, and Fees-

Delinquent Tax 21,308

Legal Process Tax 10,948

Affordable Housing Trust 11,442 \$ 1,526,064

Payments to Fiscal Court:

Tangible Personal Property Tax 58,868

Delinquent Tax 14,849

Deed Transfer Tax 25,228

Tax Bill Preparation 2,089 101,034

Payments to Other Districts:

Tangible Personal Property Tax 400,526

Delinquent Tax 66,733 467,259

Payments to Sheriff

12,250

Payments to County Attorney

20,478

Operating Expenditures:

Personnel Services-

Deputies' Salaries 101,500

Employee Benefits-

Employer's Share Social Security 12,568

Employer's Share Retirement 30,104

Employer's Paid Health Insurance 25,194

Materials and Supplies-

Office Supplies 13,187

The accompanying notes are an integral part of this financial statement.

TODD COUNTY
KIM CHAPMAN, COUNTY CLERK
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS
For The Year Ended December 31, 2011
(Continued)

Expenditures (Continued)

Operating Expenditures: (Continued)

Other Charges-			
Conventions and Travel	\$	370	
Postage		3,038	
Clerk's Bond		291	
Utilities		969	
Refunds		2,107	
Bad Debt Expense		268	
Miscellaneous		1,623	\$ 191,219
Total Expenditures			\$ 2,318,304
Net Revenues			131,992
Less: Statutory Maximum			71,725
Excess Fees			60,267
Less: Expense Allowance		3,600	
Training Incentive Benefit		920	4,520
Excess Fees Due County for 2011			55,747
Payment to Fiscal Court - February 6, 2012			55,712
Balance Due Fiscal Court at Completion of Audit *			\$ 35

* A Check Was Written To The County Treasurer For \$35 On May 9, 2012.

The accompanying notes are an integral part of this financial statement.

TODD COUNTY
NOTES TO FINANCIAL STATEMENT

December 31, 2011

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of revenues over expenditures to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

KRS 64.820 directs the fiscal court to collect any amount, including excess fees, due from the County Clerk as determined by the audit. KRS 64.152 requires the County Clerk to settle excess fees with the fiscal court by March 15 each year.

The financial statement has been prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this regulatory basis of accounting, revenues and expenditures are generally recognized when cash is received or disbursed with the exception of accrual of the following items (not all-inclusive), at December 31 that may be included in the excess fees calculation:

- Interest receivable
- Collection on accounts due from others for 2011 services
- Reimbursements for 2011 activities
- Payments due other governmental entities for December tax and fee collections and payroll
- Payments due vendors for goods or services provided in 2011

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

TODD COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 2011
(Continued)

Note 2. Employee Retirement System

The county official and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a cost sharing, multiple employer defined benefit pension plan, which covers all eligible full-time employees and provides for retirement, disability and death benefits to plan members. Benefit contributions and provisions are established by statute.

Nonhazardous covered employees are required to contribute 5 percent of their salary to the plan. Nonhazardous covered employees who begin participation on or after September 1, 2008 are required to contribute 6 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 16.93 percent for the first six months and 18.96 percent for the last six months.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65. Nonhazardous employees who begin participation on or after September 1, 2008 must meet the rule of 87 (members age plus years of service credit must equal 87, and the member must be a minimum of 57 years of age) or the member is age 65, with a minimum of 60 months service credit.

Historical trend information showing the CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report. This report may be obtained by writing the Kentucky Retirement Systems, 1260 Louisville Road, Frankfort, KY 40601-6124, or by telephone at (502) 564-4646.

Note 3. Deposits

The Todd County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC) as required by KRS 66.480(1)(d). According to KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution.

Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a depository institution failure, the County Clerk's deposits may not be returned. The Todd County Clerk does not have a deposit policy for custodial credit risk but rather follows the requirements of KRS 41.240(4). As of December 31, 2011, all deposits were covered by FDIC insurance or a properly executed collateral security agreement.

TODD COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 2011
(Continued)

Note 4. Libraries and Archives Grant

The Todd County Clerk received a local records scanning and indexing grant from the Kentucky Department of Libraries and Archives in the amount of \$40,750. Interest of \$20 was earned on the account. No grant funds were expended during the year. The unexpended grant balance was \$40,770 as of December 31, 2011.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL
STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



ADAM H. EDELEN
AUDITOR OF PUBLIC ACCOUNTS

The Honorable Daryl Greenfield, Todd County Judge/Executive
The Honorable Kim Chapman, Todd County Clerk
Members of the Todd County Fiscal Court

**Report On Internal Control Over Financial Reporting And
On Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards**

We have audited the statement of revenues, expenditures, and excess fees - regulatory basis of the Todd County Clerk for the year ended December 31, 2011, and have issued our report thereon dated May 09, 2012. The County Clerk's financial statement is prepared in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

Management of the Todd County Clerk's office is responsible for establishing and maintaining effective internal control over financial reporting. In planning and performing our audit, we considered the County Clerk's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the County Clerk's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the County Clerk's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses and therefore, there can be no assurance that all deficiencies, significant deficiencies, or material weaknesses have been identified. However, as described in the accompanying comment and recommendation, we identified a certain deficiency in internal control over financial reporting that we consider to be a material weakness.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statement will not be prevented, or detected and corrected on a timely basis. We consider the deficiency described in the accompanying comment and recommendation as item 2011-01 to be a material weakness.



Report On Internal Control Over Financial Reporting And
On Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

Compliance And Other Matters

As part of obtaining reasonable assurance about whether the Todd County Clerk's financial statement for the year ended December 31, 2011, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

This report is intended solely for the information and use of management, the Todd County Fiscal Court, and the Department for Local Government and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Adam H. Edelen', with a stylized flourish at the end.

Adam H. Edelen
Auditor of Public Accounts

May 09, 2012

COMMENT AND RECOMMENDATION

TODD COUNTY
KIM CHAPMAN, COUNTY CLERK
COMMENT AND RECOMMENDATION

For The Year Ended December 31, 2011

INTERNAL CONTROL – MATERIAL WEAKNESS:

2011-01 The County Clerk's Office Lacks Adequate Segregation Of Duties Over Receipts, Disbursements, Payroll, And Reconciliations

During our review of internal controls, we noted the County Clerk's office has a lack of segregation of duties. The Clerk prepares reports, reconciles checking accounts, collects receipts, prepares deposits, prepares ledgers, reconciles ledgers, and prepares disbursements. She also prepares all payroll disbursements and reports. Documented compensating controls were not in place to offset this control deficiency. The control deficiency as described above is a significant deficiency and a material weakness. We make the following recommendations to implement compensating controls:

- The County Clerk should have a deputy document review of the monthly tax reports.
- A co-signature should be required on all checks.
- Receipts and disbursements ledgers should be checked and approved by someone other than the preparer. This should be documented by initialing the ledgers.
- Bank reconciliations should be checked and approved by someone other than the preparer of the reconciliation. This should be documented on the bank reconciliation by initialing the bank statement.
- The County Clerk should have a deputy document review of payroll reports.

County Clerk's Response: No response.

